



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79901

Andreas BREIHOLZ, et al.

Appln. No.: 10/802,844

Group Art Unit: 2642

Confirmation No.: 5064

Examiner: Harry S. HONG

Filed: March 18, 2004

For: SAS SERVICE ARCHITECTURE

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

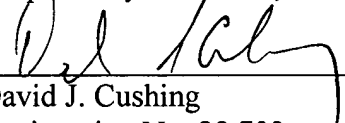
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WASHINGTON OFFICE

**23373**

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Respectfully submitted,

  
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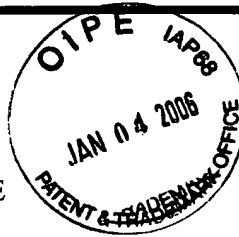
Date: January 4, 2006

# **TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket  
Number

Q79901

In re Application of: Andreas BREIHOLZ, et al.  
 Application No.: 10/802,844  
 Filed: March 18, 2004  
 For: SAS SERVICE ARCHITECTURE



The owner\*, ALCATEL, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/802,826, filed on March 18, 2004, as such term is defined in 35 U.S.C. 154 and 173. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

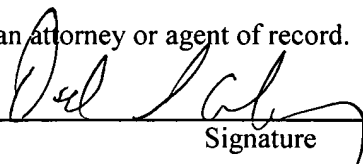
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, in the event that: any such patent: granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

  
 Signature

January 4, 2006  
 Date

David J. Cushing  
 Typed or printed name

28,703  
 Reg No.

202-663-7925  
 Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
 Form PTO/SB/96 may be used for making this statement. See MPEP § 324.